

A meeting of Portage Borough Council was held on Monday, July 15<sup>th</sup>, 2019 at 6:30 p.m., in Council Chambers.

Those in attendance were:

Sharon McCarthy  
Jerome Yetsko

David Hayes  
James Kissell

George Wozniak  
Todd Learn

John Morgan

Also present were: Robert Koban, Borough Manager; Michael Emerick, Solicitor; Gary Wisor, Borough Engineer; Scott Maul, Public Works; Chief Miller, Public Safety, and Ms. Claar, Secretary.

### **CALL TO ORDER**

Ms. McCarthy called the meeting to order at 6:30 p.m., which was followed by a roll call with a quorum being present.

### **REFLECTION/PLEDGE OF ALLEGIANCE**

Mr. Kissell offered a reflection. The reflection was followed by the Pledge of Allegiance.

Ms. Jean Kinley, Ron Portash-Mainline Newspapers,

### **REPORTS**

#### **A. Borough Manager**

Mr. Koban provided his report in written form prior to the meeting. Mr. Koban elaborated on several issues on his report and advised that most issues were reflected on the agenda.

- Mr. Wozniak questioned the condition of Mountain Avenue due to the Water Authority Waterline Replacement Project. Mr. Wozniak advised that the condition of the road is unacceptable. Mr. Maul commented that the side of Mountain Avenue will have 4 inches of base and still has 2 inches of top asphalt remaining.
- Mr. Kissell questioned the PennDot Route 164 Project concerning Decort Funeral sidewalks and property. Mr. Kissell commented on the loss of property and that plans have been changed to the intersection portion of the project. Mr. Yetsko advised that at the last Water Authority meeting, PennDot had plans and specs of the project laying on the tables pertaining to the utilities. Mr. Koban informed Council that as far as he knew, there were no changes to what was initially discussed between the Borough and PennDot. Mr. Koban will reach out to Mr. Bruce Schweitzer for additional information.
- Ms. McCarthy questioned if there will be any security cameras for the new bathroom. She advised that there has been some damages and the water is left running in the evenings. A short discussion took place on the water specifications and security. Ms. McCarthy also questioned when Portage Township will be sending their contribution of \$8,000.00 for the Restroom Project. Mr. Koban will follow-up with the Township.
- Mr. Morgan questioned if a property by NAPA could have the grass cut by the Borough. Mr. Koban advised that if it is not our property, we can't go onto it due to any liability.
- Ms. McCarthy questioned the status of the generator project. Mr. Koban advised that the PVFC has been working with the Contractor and that Lowe's has the generator in storage until the Contractor can install it.

### B. Borough Solicitor

Attorney Emerick noted that his report was provided to Council in written form prior to the meeting. Mr. Emerick elaborated on several issues in his report that are also on the agenda:

- ❖ American Roofing Litigation-there was no update.
- ❖ 933 Sonman Avenue-Greenawalt & Windsor: There was no update.
- ❖ 828 N Railroad (Gaunts)-Mr. Emerick advised that the Gaunt property is placed on the judicial sale list in October, 2019.
- ❖ 616 Dulancey Drive (Clair Adams)-On next year's judicial sale
- ❖ 720 Orchard (Plummer)-Mr. Emerick advised the he has filed the Judgment on the Pleadings and is awaiting a date.
- ❖ 406 Caldwell Avenue (Barclay); Default judgement was granted. The Civil penalty hearing is scheduled for Monday, July 22<sup>nd</sup>, 2019 at 2:00 p.m. at the Cambria County Courthouse. Mr. Emerick requested the presence of Mr. Koban, Mr. Wisor, and if any member of Council wished to attend.
- ❖ 925 Main Street (Lewis): Default judgement was granted. The Civil penalty hearing is scheduled for Monday, July 22<sup>nd</sup>, 2019 at 2:00 p.m. at the Cambria County Courthouse. Mr. Emerick requested the presence of Mr. Koban, Mr. Wisor, and if any member of Council wished to attend

### C. Borough Engineer

Mr. Wisor submitted a report to Council prior to the meeting. Mr. Wisor had nothing additional to report and noted that an item was on the agenda for approval. Mr. Kissell questioned why 1313 Jefferson is still on his agenda? The item can be removed from Mr. Wisor's agenda.

### D. Chief of Police

Chief Miller provided a copy of his written report to Council prior to the meeting. Chief Miller had nothing additional to report.

- Chief Miller introduced the new Full Time Officer; John Branick to Council. Council welcomed Officer Branick.
- Ms. McCarthy advised that a resident approached her regarding individuals with burn barrels who are burning garbage and leaving the fire unattended. Chief Miller advised that the incident was properly handled by the police department.
- Ms. McCarthy advised that she received a complaint regarding the decorative solar lights within the sidewalk at the Plummers on Sherman Street. She also commented that there is still an accumulation of trash. Chief Miller advised that they are cutting the grass but that it is only an eye sore.

### E. Director of Public Works

Mr. Maul noted that a copy of his report was provided to Council prior to the meeting. Mr. Maul had nothing additional to report.

Ms. McCarthy questioned if the summer youth worker; Randy Charles, is working out for the Public Works Dept. Mr. Maul commended Randy and advised that he is a very good worker. Mr. Maul presented two designs for Council to review for the jersey barrier on Johnson Avenue; from Marion Supply. Mr. Kissell also questioned the dollar amount that was budgeted for the project. Mr. Koban verified the amount in an amount not to exceed \$6,400.00.

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY APPROVED PURCHASING THE JERSEY BARRIERS FROM MARION CENTER SUPPLY FOR THE JOHNSON AVENUE PROJECT. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. MORGAN, MR. HAYES, MR. WOZNIAK, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

### **CORRESPONDENCE**

The Laurel Highlands Historical Village sent notice of a festival be held on Sept 21<sup>st</sup> and 22<sup>nd</sup>, 2019.

Cambria County Commissioners sent notice of an Altoona Curve Baseball Clinic to be held at Lake Rowena Pavilion #2 on Saturday, July 27<sup>th</sup>, from 10:00 a.m. to 12 p.m.

Ms. Claar read a thank you note and card from Greg and Bev Petyak; regarding the efforts of Ms. Claar, Ms. McCarthy, Scott Maul, Fran Steberger, Jamie Cadwallader, and Randy Charles for the removal of a tree trunk, branches, and other debris at the Conemaugh Avenue Bridge.

Mr. Yetsko questioned if there was any correspondence from a resident that fell in a pothole on Grant Street. Ms. Claar advised that the resident came in prior to the meeting to drop off an envelope to Mr. Koban. Mr. Koban opened the letter at this time and provided information on the incident from the resident. The resident in seeking only reimbursement for her eye glasses that smashed. After careful review of previous letters and issues,

ON MOTION OF MR. KISSELL, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED THE REIMBURSEMENT OF EYE GLASSES; TO VELMA MADIGAN, IN THE MAOUNT OF \$229.50; CONTINGENT UPON MS. MADIGAN SIGNING A WAIVER OF ANY FURTHER ISSUES RELATING TO THE FALL. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. MORGAN, MR. HAYES, MR. WOZNIAK, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

### **MINUTES OF PREVIOUS MEETING**

The minutes from the June 17<sup>th</sup>, 2019 regular meeting were provided to Council prior to the meeting.

ON MOTION OF MR. MORGAN, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY APPROVED THE MINUTES FROM THE JUNE 17<sup>TH</sup>, 2019 REGULAR MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. MORGAN, MR. HAYES, MR. WOZNIAK, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

### **BILLS AND TREASURER'S REPORT**

Ms. McCarthy noted that copies of the bills, additional bills, and Treasurer's report were distributed for review by Council members prior to the meeting.

ON MOTION OF MR. HAYES, SECONDED BY MR. YETSKO COUNCIL UNANIMOUSLY ACCEPTED THE TREASURER'S REPORT, IN THE AMOUNT OF \$40,363.46; AND APPROVED THE BILLS AND ADDITIONAL BILLS BE PAID; AS PRESENTED IN WRITTEN FORM, IN THE AMOUNT OF \$74,111.17. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

**REPORTS RECEIVED**

Ms. McCarthy noted that reports were received from the Portage Water Authority (May'19) and the Portage Sewer Authority (May'19); and prior to the meeting; the PAJRC sent minutes from April until June 10<sup>th</sup>, 2019.

ON MOTION OF MR. MORGAN, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY ACCEPTED THE REPORTS RECEIVED AS NOTED ABOVE. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

**UNFINISHED BUSINESS**

Mr. Koban provided an update as follows:

- A. Update on Recreation Manager/Director position: Consultant agreement to be approved for the Peer to Peer grant funding under new business.
- B. Update on Borough Building Roof: Discussed under the Solicitor's report.
- C. Update on Trout Run Rehabilitation: No update.
- D. PennDot project on SR 164-Discussed earlier in the meeting.
- E. Update on Main Street Phase II: There was no update.
- F. Update on Main Street Phase III Sidewalk: Mr. Wisor reported that the South side of Main Street for curbs, sidewalks, buffer, and lighting are unfunded. He is in the process of preparing another grant funding application that is to be submitted by July 31<sup>st</sup>, 2019. A resolution to be approved under new business.
- G. Update on restroom project at Crichton McCormick Park-the project has been completed with pay estimates for Brickley Construction and Oakes Plumbing.
- H. Update on Sonman Avenue Bridge-no update
- I. Update on creek wall repairs at Johnson Avenue-discussed earlier in the meeting.
- J. Update on Small Community Grant Funding-No update.
- K. Update on Mainline Trail Feasibility Study Phase I. -Ms. McCarthy advised that a meeting will be held on Monday, July 22<sup>nd</sup>, 2019 at the Portage Elementary School from 7:00-9:00 p.m.
- L. Update on Welcome to Portage Signs-Mr. Koban suggested that the signs be re-painted before they start deteriorating.
- M. Update on Tree Revitalization Grant through DCNR for Crichton McCormick Park-Ms. Claar advised that Sharon and Dave Squillario informed her that they will not be pursuing the grant funding for the trees.

**BUILDINGS**

Mr. Koban provided the following update:

- A. Update on 933 Sonman Ave (Greenawalt)-discussed earlier in the meeting.

- B. Update on 616 Dulancey Drive (Adams) discussed earlier in the meeting.
- C. Update on junk vehicles. no update. Chief Miller advised that is a work in progress.
- D. Update on 828 North Railroad (Gaunts) discussed earlier in the meeting.
- E. Update on 720 Orchard Street (Plummer) discussed earlier in the meeting.
- F. Update on 406 Caldwell Avenue (Barclay) discussed earlier in the meeting.
- G. Update on 925 Main Street (Lewis) discussed earlier in the meeting.
- H. Update on 532 Dulancey Drive (Gaunt)-file
- I. Update on demolition of 1007 Conemaugh Avenue-The Cambria County Redevelopment Authority sent an e-mail that bids for several demolitions were completed. The Authority is anticipating the approval of a contract on July 11<sup>th</sup>, 2019. Mr. Portash advised that the bid results were published in the paper and the structures were listed in the Tribune. The 1107 Conemaugh Avenue was included in the list. There was no verification prior to meeting.

### **NEW BUSINESS**

- A. Request from the Rotary Club of Portage to utilize borough streets for the annual 5K race.

ON MOTION OF MR. LEARN, SECONDED BY MR. WOZNAK, COUNCIL UNANIMOUSLY APPROVED THE REQUEST FROM THE ROTARY CLUB OF PORTAGE TO UTILIZE BOROUGH STREETS ON SATURDAY, AUGUST 10<sup>TH</sup>, 2019 AT 8:30 A.M. FOR THE ANNUAL 5K RACE DURING SUMMERFEST. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0

- 2 Approval of a Consultant agreement for the Peer to Peer Project.

ON MOTION OF MR. MORGAN, SECONDED BY MR. WOZNAK, COUNCIL UNANIMOUSLY APPROVED THE CONSULTING AGREEMENT; BETWEEN JEANNE ASHLEY AND THE BOROUGH, FOR THE PEER TO PEER PROJECT, PENDING THE SOLICITOR'S REVIEW. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

- 3. Approval of a resolution for the MTF Grant Funding Application and the borough funding commitment for the Main Street Sidewalk Phase 3A.

ON MOTION OF MR. WOZNAK, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY APPROVED RESOLUTION 11-2019 BY MAKING APPLICATION FOR THE MTF GRANT APPLICATION; THROUGH CFA, IN THE AMOUNT OF \$298,165.00 FOR THE MAINSTREET SIDEWALK PROJECT 3A. ALSO INCLUDED IN THE MOTION WAS THE APPROVAL OF THE BOROUGHS FUNDING COMMITMENT OF \$127,785.50. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

4. Discussion on Land Bank policies

Mr. Emerick provided additional information to Council concerning land banks statutes within Pennsylvania. The land bank jurisdiction is a county, city, borough, township or an incorporated town with a population of more than 10,000.00 that enter an intergovernmental cooperation agreement. Council agreed to review the land bank information presented by Mr. Emerick and place on the August agenda.

**GOOD OF THE BOROUGH**

Mr. Koban requested an Executive Session personnel purposes:

ON MOTION OF MR. KISSELL, SECONDED BY MR. YETSKO, COUNCIL UNANIMOUSLY WENT INTO EXECUTIVE SESSION FOR PERSONNEL PURPOSES. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

ON MOTION OF MR. KISSELL, SECONDED BY MR. WOZNIAK, COUNCIL UNANIMOUSLY WENT OUT OF EXECUTIVE SESSION AND INTO THE REGULAR MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR MORGAN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

ON MOTION OF MR. WOZNIAK, SECONDED BY MR. KISSELL, COUNCIL UNANIMOUSLY WENT INTO THE REGULAR MEETING. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR MORGAN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

There being no further business,

ON MOTION OF MR. HAYES, SECONDED BY MR. LEARN, COUNCIL UNANIMOUSLY MOVED TO ADJOURN. COUNCIL MEMBERS VOTING AFFIRMATIVELY INCLUDED MR. LEARN, MR. MORGAN, MR. YETSKO, MR. WOZNIAK, MR. HAYES, MR. KISSELL, AND MS. MCCARTHY. MOTION CARRIED 7-0.

THE MEETING WAS ADJOURNED AT 7:34 P.M.